

THE SEWER BOARD OF THE CITY OF NEW ALBANY, INDIANA HELD A MEETING IN THE 3RD FLOOR ASSEMBLY ROOM OF THE CITY/COUNTY BUILDING, NEW ALBANY, INDIANA ON TUESDAY, OCTOBER 3, 2006 AT 3:30 P.M.

PRESENT: Chairman Mayor James Garner, Vice Chairman Bill Utz, Mark Seabrook, Todd Solomon and Larry Kochert.

OTHERS: Attorney Greg Fifer, Rob Sartell and Brian Dixon, EMC, and City Clerk Marcey Wisman.

CALL TO ORDER:

Mayor Garner called the meeting to order at 3:30 p.m.

PLEDGE OF ALLEGIANCE:

APPROVAL OR CORRECTION OF THE FOLLOWING MINUTES:

Mr. Solomon moved to approve the amended minutes of September 19th, Mr. Kochert second, all voted in favor except the Mayor and Mr. Seabrook who where not present.

COMMUNICATIONS - PUBLIC:

Robert Holman, 2605 Linda Drive, stated that the water in the drainage ditch on the east side of Linda Drive was higher than ever and he asked when the last time it was cleaned with a back hoe. He reported that the 4-H has laid 4 foot concrete pipe that goes to the creek and he wants to know how they were allowed to do that. He also asked if there was someone who could come out and help clean up the caked mud on the street left behind after the storm.

Mr. Seabrook informed Mr. Holman that the storm water board will meet the first and third Friday of the month and he recommended that he go to them with the questions and concerns.

Mr. & Mrs. Rutherford, 2604 Linda Drive, explained that they lost everything in their basement after the rain event. She explained that the manhole for the sewer line next to the creek jumped all night long after the water receded.

There was lengthy discussion regarding the drainage problems in the area and the history of problems the Rutherfords have personally had at their property.

Mrs. Rutherford stated that she has noticed after every rain there is a truck with men standing around the manhole.

Mayor Garner explained that K & E Environmental would be checking that manhole when it rains.

Mr. Solomon asked Hans Peterson if he would give an up-date on the Linda Drive project.

Mr. Schmidt reported that he received a call regarding an exposed broken sewer line at 1709 Woodland Road.

Mr. Dixon stated that he would look into it.

Susan Johnson asked if we have received a new Consent Decree or received new credits.

Mr. Fifer reported that that he has not received the decree and that he has expressed mailed information that the EPA requested regarding the Bar Screen and is still waiting to hear about the credits.

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Mrs. Johnson asked how many SSO's there were on 22nd and 23rd during the rain event.

Mr. Fifer explained that there were 18 and that they didn't occur until the second wave of storms on Saturday

Mrs. Johnson stated that it is her opinion all the creeks need to be cleaned out. She reported that the trees and debris in the creek caused the flooding in her area to be worse than it has ever been. She asked if the Storm Water Board is who will need to be addressed to clean the creeks.

Mayor Garner explained that they will be responsible for making those decisions and reworking the Master Plan. He stated that they will also have to make decisions on \$500,000 worth of projects just from the damage received during the rain event.

There was a lengthy discussion regarding the effects of the rain event and the debris in the creeks.

Mrs. Johnson asked about the SSO on the 27th.

Mr. Sartell stated that it was caused by household grease that had clogged the line and that it has been cleaned.

COMMUNICATIONS - CITY OFFICIALS

Mr. Seabrook asked if the flow meters are still in basin 4.

Mr. Sartell and Mr. Dixon said that they were.

Mr. Seabrook said that he would love to see the readings from the rain event.

Mr. Solomon asked Hans to give an up-date on Linda Drive and Janie Lane.

Mr. Hans Peterson explained that they have been monitoring the area and have not yet found the problem. He stated that there has been a overflow further below where they are studying and they believe that they need to expand their monitoring area. He also presented information regarding the Basin 4 readings during the rain event on September 22 and 23 and a map plotting the SSO Locations from the rain event, which is on file with the city clerk's office.

Mr. Solomon had numerous questions on the monthly operating report and made suggestions for information to be included in the subsequent reports. Specifically he questioned the capacity letters on projects that he understood to be over 15,500.

Mr. Solomon made a motion that Clark Deitz provide Mr. Fifer information on the greater than 15,500 capacity list to compare to the capacity letters that are being issued to be sure that they meet with the Memorandum of Understanding and report back to the board on what we should be providing to the EPA regarding CAPS and whether we have the capacity for the projects,

Mr. Fifer explained that the capacity letters in the monthly reports go strictly to IDEM and that some of projects that are over the 15,500 credits began prior to the EPA requirement.

There was a lengthy discussion regarding the requirements of the Memorandum of Understanding regarding projects that require credits greater than 15,500 and the process that the sewer utility must use to track those to prevent further SSO's.

Mrs. Haley explained that many of the developers have decreased their need for credits.

Wes Christmas presented the board with a credit certification tracking list, which is on file with the City Clerk's office.

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Mr. Kochert asked if the developers were reducing their need for credits just to start their projects and would be increasing the development at a later time or if they were really reducing the size of the development.

Mrs. Haley explained that she just knows what the developers are telling her when they call and say they want to decrease the size of their project.

The board requested an up-dated credit list from Mrs. Haley.

Mr. Solomon asked Mr. Fifer to clarify his opinion that the capacity letters included in the report does not relate to the memorandum of Understanding.

Mr. Fifer stated that the letters in the report are more of a dry weather certification and the memorandum of understanding called more for wet weather certifications.

Mr. Solomon amended his motion to request Mr. Fifer to forward the credit certification tracking to the EPA, Mr. Kochert second, all voted in favor.

Mr. Solomon asked for an up-date on the 15th Street line.

Mr. Dixon explained that nothing has changed and that he will be meeting with engineers that voiced interest in the project.

Mr. Solomon asked about Lewis Street.

Mr. Dixon stated that it has just been paved over that they are not ready to make the repairs at this time. He explained that there are problems with the storm line as well and that when they open the street to repair the sewer they will need to repair the storm drain as well.

Mr. Solomon asked how many credits have been allocated to the Lafollette Station line and if anyone is tracking it.

After a lengthy discussion it was decided that Mrs. Haley will track the 80,000 credits.

Mr. Solomon asked if there is a system for up-dating the mapping with the building of new subdivisions.

Mr. Dixon stated that they are not capable to do that at the plant and they would need to hire a consultant to take care of that.

Mr. Solomon asked about the status for taking over IN-AWC billing.

Mayor Garner stated that they will be moving the billing office down to where Redevelopment is now located and they need to finish cleaning up the storm water billing. He thought that they will probably be ready after the end of the year.

Mr. Solomon stated that the sewer utility is paying all of Kelly's and April's salary but they are spending a lot of their time working on storm water issues.

Mayor Garner stated that there is talk of storm water paying for part of their salary after the first of the year.

Mr. Seabrook stated that the city council had money allocated for drainage problems and he was wondering if what is left over could be used to pay the sewer utility back for some of the fees they have covered.

Mayor Garner stated that this is something that would need to be brought to the attention of the City Council.

Mr. Solomon asked if the ordinance has been passed for the sewer utility to report to the council.

Mr. Seabrook explained that it had been passed.

There was a lengthy discussion regarding the requirements of the ordinance.

Mr. Utz asked how and when the utility would be reimbursed for the 2001 and 2002 EDIT payments that were not paid.

Mayor Garner stated that this money could only be used for projects and that it would need to be appropriated by the City Council.

The Board requested that Mr. Fifer prepare an ordinance for this money.

Mayor Garner reported that they received a letter from the Solid Waste asking for a letter of support for a grant to remove hazardous waste from streams and other bodies of water throughout the city.

Mr. Seabrook moved to support the grant if it has nothing to do with them moving to the Fairmont area, Mr. Kochert second, all voted in favor.

SEWER ADJUSTMENTS:

NEW BUSINESS:

Tom Emmerson and Tim Crawford, EMC, reviewed with the board a report on the Consent Decree Compliance Review which is on file with the City clerk's Office.

Mr. Solomon had numerous questions and made corrections for the Consent Decree Compliance Review.

It was decided that EMC would look over Mr. Solomon's notes and that the board would have a work session meeting following a regular meeting sometime in the future.

Mr. Fifer stated that they also need to look at whether or not they have the resources and staff to complete the work to comply with the Consent Decree and eliminate SSO's.

EMC indicated that the plant had performed well during the September 22 and 23 rain event.

Mr. Solomon stated that it is good that the plant handled flow over our capacity but after looking over the Rain Event report there are a lot of issues that still need to be worked out.

Mr. Steve Gress, Donohue, explained the problems that they had at the plant during the rain event and what they are doing to correct the problems.

There was a lengthy discussion regarding issues that occurred at the plant during the rain event.

OLD BUSINESS:

Item #1 - Sam Lahanis, MI2

Mike McKee, addressed the board and reviewed a proposed agreement to act as a liaison between the board and EMC.

Mr. Solomon stated that it is his opinion that the City needs their own person to act as the utility manager with a staffed department and he does not believe that this should be

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contracted out.

Mr. Seabrook stated that he felt that no one is comfortable to move forward with this tonight.

Mr. Seabrook had to leave the meeting at 5:55 p.m. due to a conflict.

Mr. Lahanis explained that the second proposal was for them to do performance review.

Mr. Solomon asked if they had any non-compete issues with EMC.

Mr. McKee stated that they did not.

Mr. Solomon asked if they would be competing for the contract next year.

Mr. McKee stated they absolutely would not be competing for the contract next year.

The board asked that they come back to the next meeting.

Item #2 - Jason Copperwaite, Primavera & Assoc.,re: Vincennes Place

Mr. Peterson stated that they have what they need from Primavera but they have not had time to look it over.

Item #3 - Donohue re: update on Mini Master Plan and Basin 35-40 Capacity Analysis project.

Steve Gress stated that Paul has been working on task order #1 and they are up-dating the swim model. On Basin's 35 through 40 they have received the information from the developers as to what they are developing now and what they plan to develop in the future. He believes that it should all be finished by December.

Mr. Solomon asked if there has been any progress on the Stone Crest Development.

Mr. Dixon stated that they have not heard anything more since he told them to contact Donohue.

Item #4 - Clark Dietz re: Projects update

Wes Christmas reported that they have only worked on the line for 4 days since the last meeting due to the large amounts of rain. He also presented a Robert E. Lee System Flow Analysis.

Mr. Solomon stated that the flows still are over the capacity of the lift station which proves that this pump station needs to be repaired as soon as possible. He stated that the generators need to be replaced and in order to do that the electric needs to be up-dated; and if you are going to do all that work the pumps should be replaced.

There was a lengthy discussion regarding the need to up-grade the Robert E. Lee Pump station and whether this project could be pieced out. It was determined that it all needed to be done together.

Mr. Fifer asked if when the Robert E. Lee project is done could they leave the flow meters in those lines to monitor the flow to request more credits.

Mr. Christmas state that could be done.

Mr. Fifer stated that it is his opinion that Linda Drive is a top priority project and we need to start getting the specs together and bids to do the work on Lewis Street.

Mr. Dixon said that he could get something together on Lewis Street and bring it to the board to look over.

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EMC REPORT:

Item #1 - Camera Truck

Mr. Dixon reported that the truck will cost \$7,500 but he does not have a date for when it will be ready.

BIDS:

CLAIMS:

Mr. Dixon presented the following claims:

Clark Dietz Inc.	Invoice #39737	\$7,953.00
Donohue & Associates	Invoice #7	\$12,521.00
Melhiser Endres & Tucker	Invoice \$153267	\$2,896.00
Team Contracting REL Interceptor	Invoice #2	\$226,530.18

Mr. Kochert moved to approve, Mr. Solomon second, all voted in favor.

Mr. Fifer reminded everyone that the ADM mediation would be October 24 at the same location and the consultant and attorney would be available to meet with them the evening before to give an up-date.

Mr. Sartell stated that he had a tort claim from Byron Barker at 407 Mt. Tabor Road for \$275.00. There was a blockage in the city line and he recommended that it be approved.

Mr. Utz moved to approve, Mr. Kochert second, all voted in favor.

Mayor Garner asked about the status of the Lisa Clark claim.

Mr. Fifer reported on he informed them that they wanted her to put in a back flow valve and he is in the process of finishing the details with her attorney.

Mr. Solomon asked about the letters regarding manholes located in garages.

Mr. Dixon explained that on Limburg Court there is a problem of a manhole in a garage and there is a lateral line in the area that is failing that has caused a hole and if they were to do any work on the line the garage would have to come down. The problem is that the lateral belongs to the neighbor of the lady that owns the garage. He has recommended that she fill it in with rock.

Mr. Fifer recommended that they put this into writing for this woman.

Mr. Fifer also expressed his concerns over the condition of the sewer utilities equipment and the continued use of that equipment by the drainage department.

There was a lengthy discussion regarding the continued problem of the sewer utility subsidizing the drainage department financially and through the use of equipment.

ADJOURNMENT:

There being no further business before the Sewer Board, the meeting adjourned at 6:40 p.m.

Respectfully submitted,

Mayor James Garner, Chairman

Marcey J. Wisman, City Clerk